

**CUSTOMER NUMBER****27792**

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

Application Number	10/631,121
Filing Date	July 31, 2003
First Named Inventor	Gialmo et al.
Group Art Unit	2828
Examiner Name	Wimer, Michael C.
Attorney Docket No.	MICR0402

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

X  1. Submission required under 37 C.F.R. § 1.114

a.  X  Previously submitted

- i.  X  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 22, 2006  
(Any unentered amendment(s) referred to above will be entered).
- ii.   Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii.   Other

b. Enclosed

- i.   Amendment/Reply
- ii.   Affidavit(s)/Declaration(s)
- iii.   Information Disclosure Statement (IDS)
- iv.   Other

2. Miscellaneous

- a.   Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of   months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
- b.   Other

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X 3. Request for Constructive Petition for Extension of Time

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940, thereby constructively petitioning for any necessary extension of time to maintain the present application in a pending state.

  X   4. Claim Status

<u>Computation of Fee For Claims as Submitted for filing in RCE</u>					
	<u>Claims Remaining after Preliminary Amendment</u>	<u>Highest Number of Claims Previously Paid For</u>	<u>Number of Extra Claims</u>	<u>Rate</u>	<u>Fees</u>
Total Claims	27	27	-0-	x \$50	\$-0-
Independent Claims	3	3	-0-	x \$200	<u>-0-</u>
RCE FEE					790
TOTAL ADDITIONAL FEE FOR THIS RCE SUBMISSION					<u>\$ 790</u>

**X 5. Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1940.

- i.        RCE fee required under 37 CFR § 1.17(e)  
 ii.        Extension of time fee (37 CFR §§ 1.136 and 1.17)  
 iii.   X   Any additional required fees  
 iv.        Other \_\_\_\_\_

b. ☒ Check No. 8990 in the amount of \$790 is enclosed, which includes all the fees as noted above.

c.          Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Typed/Printed Name **Ronald M. Anderson**

Registration Number: 28,829

Signature

Ron Anderson

Date: April 13, 2006

## MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 13, 2006.

Date: April 13, 2006

Elizabeth L. Miller

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Director of the Patent and Trademark Office, Box RCE, Washington, DC 20231.**